

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL PARKER)
)
)
)
Plaintiff,)
)
)
v.) No. 07 C 6448
)
OFFICER M. KOZELUH, Star #143,) Judge Marovich
and the CITY OF RIVERDALE,) Magistrate Judge Ashman
)
)
Defendants.)

**AGREED MOTION TO ENLARGE THE TIME PERIOD IN WHICH
TO ANSWER OR OTHERWISE PLEAD**

NOW COMES Defendants, Officer Mark Kozeluh, incorrectly named as Officer Mark Kozelugh, in his individual capacity, and the Village of Riverdale, in its official capacity, by and through their attorneys, Tribler Orpett & Meyer, P.C., and, pursuant to Federal Rule of Civil Procedure 6(b)(1), move this Honorable Court to enlarge the time period in which to answer or otherwise plead up to and including January 30, 2008. In support thereof, Defendant states as follows:

1. On November 14, 2007, Plaintiff(s) filed a four-count Complaint against Defendants alleging violations of Plaintiffs' civil rights under Section 1983 and pendent State law claims.
2. On or about December 26, 2007, the undersigned filed Appearances on behalf of Defendants.
3. Plaintiff's Complaint alleges, civil rights violations pursuant to Section 1983 for illegal search, excessive force, and pending state law claims for malicious prosecution and

indemnification. Plaintiff further contend the underlying criminal charges were dismissed in his favor.

4. The undersigned seeks an extension of time to sufficiently answer or otherwise plead to Plaintiff's multi-count Complaint. The undersigned seeks 14 days, up to and including January 30, 2008, to answer or otherwise plead to Plaintiff's Complaint.

5. During that time period, the undersigned intends to meet with Defendants and review any pertinent documents in order to sufficiently answer or otherwise plead to Plaintiff's multi-count Complaint. The undersigned further intends to investigate the status of the criminal charges against Plaintiff's.

6. The undersigned is not being is not being dilatory in the defense of this case and an extension of time will cause no undue delay or prejudice in this action.

7. On January 15, 2008, the undersigned contacted Plaintiff's counsel regarding the instant motion. Plaintiff's counsel advised that he has no objections to an extension of time for Defendants to Answer or Otherwise plead.

WHEREFORE, Defendants, Officer Mark Kozeluh, in his individual capacity, and the Village of Riverdale, in its official capacity, respectfully request that this Honorable Court grant them an enlargement of time up to and including, January 30, 2008, to answer or otherwise plead in this matter, and to vacate any technical defaults that may have been entered.

Respectfully Submitted,

s/ William B. Oberts
Attorney for Defendants
William B. Oberts, Esq.
ARDC #6244773
TRIBLER ORPET & MEYER, P.C.
225 W. Washington, Suite 1300
Chicago, Illinois 60606
(312) 201-6400

CERTIFICATE OF SERVICE

The undersigned attorney deposes and states that a copy of **Defendants' Motion to Enlarge the Time Period in Which to Answer or Otherwise Please** was served on:

Attorneys for Plaintiff(s)

Thomas Peters and Kevin Peters

Law Office of Thomas and Kevin Peters

407 S. Dearborn St., Suite 1675

Chicago, Illinois 60605-1144

by electronic service via the Court's ECF System on or before 5:00 p.m. on January 16, 2008.

s/ William B. Oberts _____

Attorney for Defendants

William B. Oberts, Esq.

ARDC #6244773

TRIBLER ORPET & MEYER, P.C.

225 W. Washington, Suite 1300

Chicago, Illinois 60606

(312) 201-6400

wboberts@tribler.com